

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA
V.

CRIMINAL COMPLAINT

Sergio Alberto Ramirez-Rodriguez
A205 378 261 YOB: 1989Principal
the United Mexican StatesUnited States District Court
Southern District of Texas
FILEDCase Number:
M-15-0215-M

FEB 13 2015

(Name and Address of Defendant)

Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about February 11, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Delfino Sanchez-Cruz, a citizen and national of Mexico, and Delmi Carolina Vasquez-Cruz, a citizen and national of Honduras, along with eleven (10) other undocumented aliens, for a total of twelve (12), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempted to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On February 10, 2015 Border Patrol Intelligence Agents conducted a custodial interview with a load driver and principal of a 1 on 6 Alien Smuggling Case. During the custodial interview, the principal identified 17221 Polvorin, Penitas, Texas as a property where at least 30 illegal aliens were being harbored, and as a location where he personally has picked up illegal aliens before. On the property there was an RV trailer and a chicken coop.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Approved
José Leonel

Eduardo Cortez
Signature of Complainant

Sworn to before me and subscribed in my presence,

Eduardo R. Cortez Senior Patrol Agent
Printed Name of Complainant

February 13, 2015
Date

at McAllen, Texas
City and State

Dorina Ramos, U. S. Magistrate Judge
Name and Title of Judicial Officer

Dorina Ramos
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

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CONTINUATION:

Agents began surveillance on the property that same day at approximately 12:50 pm, and noticed a white Mercury Grand Marquis arrive. A few minutes later, it left the property. The driver of the Grand Marquis would later be identified as Sergio Alberto RAMIREZ-Rodriguez.

Approximately two hours later, RAMIREZ arrived at the RV, again driving the same Grand Marquis. He exited the vehicle with two white grocery bags and gave them to a man who exited the RV. RAMIREZ was later observed feeding a horse that was on the same property as the RV. He later left the property again, and travelled to 17807 Coconut Palm in Penitas, Texas. (This residence was later identified as RAMIREZ's personal residence.)

The following day, on February 11, 2015, agents observed the Grand Marquis parked at a different house in Penitas, Texas. The Grand Marquis, driven by RAMIREZ then travelled to 17221 Polvorin. There, he held a conversation with a man who came out of the RV. After the conversation, he left and headed back to 17807 Coconut Palm.

Agents and HCSO Deputy Jose Zapata noticed RAMIREZ outside cleaning his vehicle in the front yard of 17807 Coconut Palm. They approached him and inquired about 17221 Polvorin. He was cooperative, and told them it was his job to drop off food and water to the people staying there. Agents read him his rights, and he continued to tell agents that the people were illegal aliens, and delivered tortillas and eggs on that day, and 15 tacos the day before.

Agents arrived at 17221 Polvorin, and conducted a knock and talk. A man opened the door and told agents he was illegally in the United States. He also stated he had been at the RV for three days, and granted consent to enter the RV. Inside the RV agents found 12 undocumented aliens. All were transported to the McAllen Border Patrol Station for processing.

PRINCIPAL'S STATEMENT:

Sergio Alberto RAMIREZ-Rodriguez was read his rights. He stated he was willing to provide a statement without the presence of an attorney.

RAMIREZ told agents he has been involved in alien smuggling for approximately three weeks. Though he was aware it was illegal, he still became involved with a man known to him as Gordo, who paid him to deliver food to the illegal aliens staying at 17221 Polvorin.

NOTE: The RV where the illegal aliens were being harbored had one bed, one small restroom, one small kitchen, and no running water. There was electricity running to the trailer, but no air conditioning. The kitchen contained rotting food and ants.

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MATERIAL WITNESSES' STATEMENTS:

Both material witnesses were read their rights. Both stated they were willing to provide statements without the presence of an attorney.

1- Delfino Sanchez-Cruz told agents he illegally crossed the Rio Grande River and slept in the brush that night. In the morning, a driver arrived and took him to the same trailer where he was arrested. Sanchez stated he was there for three days. According to Sanchez there was only one man who brought food for the group to eat. That man drove a white car and Sanchez identified RAMIREZ in a photo lineup as that man. Sanchez stated he never saw anyone else in charge of the trailer or bring food to the trailer.

2- Delmi Carolina Vasquez-Cruz stated she was charged \$3,000 (USD) to be smuggled to Tampa, Florida. After illegally crossing the river, she and her group walked to a road, where the foot guides told her to board a vehicle which had stopped near their location. A heavy set man, who went by the name Gordo, was driving the car and transported her to a trailer. There, at the trailer, another man would deliver food twice daily. She identified RAMIREZ in a photo lineup as the person who delivered food.